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as Trustee of SORENSEN RESEARCH AND
DEVELOPMENT TRUST

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

JENS ERIK SORENSEN, as Trustee of)	Case No. 08cv00071 BTM CAB
SORENSEN RESEARCH AND)	
DEVELOPMENT TRUST,)	ORDER REGARDING PLAINTIFF'S
)	MOTION FOR EXCEPTION TO STAY
Plaintiff)	
v.)	
)	
SENCO PRODUCTS, INC., an Ohio)	
corporation; and DOES 1 – 100,)	
)	
Defendants.)	
)	
and related counterclaims.)	
)	
)	
)	
)	

1 Plaintiff JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH
2 AND DEVELOPMENT TRUST ("Plaintiff") has moved this Court at Docket # 21
3 for an exception to the stay of proceedings in this case for the purposes of limited
4 discovery.

5 The Court, having considered briefing by the parties and oral arguments on
6 August 20, 2008, **grants in part** and **denies in part** Plaintiff's motion for exception
7 to the stay as set forth below.

8 1. All prototype and production molds used in the production of the
9 accused products within the custody and control of the Defendant(s) are to be
10 preserved.

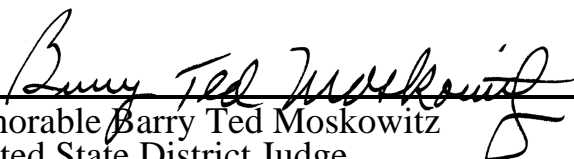
11 2. All design and technical documents for the accused product within the
12 control and custody of the Defendant(s) are to be preserved.

13 3. Plaintiff is granted leave to propound one (1) interrogatory on the
14 Defendant(s) that asks for the identification of the company names and addresses of
15 nonparty manufacturers, suppliers, and importers who have prototype, production,
16 design, technical documents or evidence regarding the accused products.

17 The Court **denies without prejudice** Plaintiff's request for leave of court to
18 use appropriate procedural discovery steps to acquire prototype, production, design,
19 technical documents or evidence regarding the accused products from nonparties at
20 this time; any subsequent requests will be reviewed on a case-by-case basis.

21 IT IS SO ORDERED.

22 DATED this 2nd day of September, 2008.

23
24
25 
26 Honorable Barry Ted Moskowitz
27 United State District Judge
28